

FINAL
For Review and Adoption by the Council at the November 14, 2018 Meeting

DELTA STEWARDSHIP COUNCIL
Thursday, October 23-26, 2018
Ramada Inn
1250 Halyard Drive
West Sacramento, CA 95691

MEETING SUMMARY

REVISED

1. Welcome and Introductions

The meeting was called to order at 9:00 a.m., Oct. 23, 2018, by Chair Randy Fiorini.

2. Roll Call – Establish a Quorum (Water Code §85210.5)

Roll call was taken and a quorum was established. The following Councilmembers were present: Maria Mehranian, Ken Weinberg, Frank Damrell, Randy Fiorini, Susan Tatayon, Mike Gatto, and Skip Thomson.

3. Adoption of the September 27, 2018 Meeting Summary (Action Item)

Vice Chair Tatayon requested that staff amend the meeting summary to reflect that the offer for a motion to vote on Agenda Item 3: Adoption of the August 23, 2018 Meeting Summary was made by Vice Chair Tatayon, not Councilmember Mehranian. She also stated that Councilmember Mehranian abstained from voting on item 3 at the September Council meeting because she was absent the month before.

Motion: Offered by Weinberg, second by Damrell - Approve the Sept. 27, 2018 meeting summary with changes.

Vote: 7/0 – Weinberg, Gatto, Damrell, Mehranian, Fiorini, Tatayon, Thomson voted aye (unanimous), and the motion was adopted.

The video showing this motion and vote can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-10-23>. 00:01:32.

The revised meeting summary can be found at: <http://deltacouncil.ca.gov/event-detail/15110>.

4. Chair's Report (Information Item)

Chair Fiorini asked the Council if Councilmembers had anything to report. Hearing none, he moved on to agenda item 5.

The video showing the Chair's Report can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-10-23>. 00:03:02.

5. Executive Officer's Report (Information Item)

Executive Officer Jessica Pearson noted that the following letters were sent during the previous month regarding Delta Plan coordination and implementation and were provided to the Councilmembers:

- Comment letter to the City of Stockton ~~in~~-re: Notice of Preparation of an Environmental Impact Report for the Proposed Regional Wastewater Control Facility Modification Project.
- Comment letter to the San Joaquin Valley Rail Authority re: Proposed Notice of Preparation of an Environmental Impact Report and Scoping Meeting for the Proposed Valley Link Rail Project.
- Comment letter to SMUD ~~in~~-re: Notice of Preparation of a Draft Environmental Impact Report for SMUD Operations, Maintenance, and New Construction Habitat Conservation Plan

The letters can be found on the Council's website at: <http://deltacouncil.ca.gov/outgoing-correspondence>.

Ms. Pearson provided an update on current covered actions, noting that the Department of Water Resources (DWR) issued a notice of intent to file a certification of consistency for the ~~North Delta Flood Control and Habitat Project~~ Grizzly Slough Floodplain Restoration Project and McCormack-Williamson Tract Restoration Project, an EcoRestore project. The project focuses on flood control and habitat improvements. Current high water conditions threaten levees, bridges, and roadways and the DWR project is intended to improve flood control in a manner that benefits aquatic and terrestrial habitats, species, and ecological processes. The filed certification of consistency, and other documents, can be found at: https://coveredactions.deltacouncil.ca.gov/profile_summary.aspx?c=1d2f80f3-98cb-4485-9a87-bc09953d15a8.

Ms. Pearson also acknowledged staff member Brittany Young, who has accepted a promotion to Information Officer II, and noted that Erika Giorgi, was hired to fill the new Attorney IV position.

The video of the Executive Officer's Report can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-10-23>. 00:03:11.

5a. Legal Update (Information Item)

Chief Counsel Bethany Pane had nothing to report.

5b. Quarterly Contract Report (Information Item)

The quarterly contract report was made available to the public and Councilmembers. Councilmembers did not have any questions regarding the report.

5c. Approve the Cooperative Agreement with the US Bureau of Reclamation for the Delta Science Proposal Solicitation (Action Item)

Ms. Pearson requested approval to enter into a Cooperative Agreement with the U.S. Bureau of Reclamation (Reclamation) for the Delta Science Proposal Solicitation. Deputy Executive Officer for Science Rainer Hoenicke provided a brief description of the project and its purpose. Mr. Hoenicke stated that the agreement would allow Reclamation to reimburse the Council up to \$2 million to help fund the Delta Science Proposal Solicitation. Josh Israel from Reclamation was available to answer questions as needed. The Councilmembers did not have any questions and proceeded to the vote.

Motion: Offered by Weinberg, second by Thomson - Approve the Cooperative Agreement with the US Bureau of Reclamation for the Delta Science Proposal Solicitation.

Vote: 7/0 – Weinberg, Gatto, Damrell, Mehranian, Fiorini, Tatayon, Thomson voting aye (unanimous), and the motion was adopted.

The video of the motion and vote can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-10-23>. 00:10:11.

Ms. Pearson ended her report by acknowledging Mr. Hoenicke's service with the Council as this will be his final Council meeting before his retirement.

6. Lead Scientist's Report (Information Item)

Chair Fiorini invited Dr. John Callaway to present the Lead Scientist's Report. The report summarized an article in the *San Francisco Estuary and Watershed Science* (SFEWS) on managing resilient salmon populations in California. The report also summarized an article in *Limnology and Oceanography* on the value of long-term environmental data and water quality trends in the upper San Francisco Bay. Lastly, Dr. Callaway provided a summary of the Bay-Delta Science Conference. Sea Grant Fellow Amanda Wasserman presented the By the Numbers report.

The Lead Scientist's Report is available on the Council's website at: <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-october-23-26-2018-meeting-agenda-item-6-lead>. The By the Numbers presentation is posted on the Council's website at: <http://deltacouncil.ca.gov/docs/meeting-documents/delta-stewardship-council-october-23-26-2018-meeting-agenda-item-6-numbers>.

During the Lead Scientist's Report, Councilmembers provided comments on an article in the *Sacramento Bee* regarding a decision made by a federal judge in the state of Washington about the death of salmon from low flows and warm water in the Columbia River. Councilmember Damrell stated that the incident is important for federal litigation in California and the State Water Resources Control Board's pending decision on Bay-Delta water quality standards and unimpaired flows.

Regarding the SFEWS article about managing resilient salmon populations in California, Councilmembers discussed if the issues brought up in the article are being considered in restoration projects, watershed management, and in the development of the draft

Ecosystem Amendment. Dr. Callaway confirmed that the Ecosystem Amendment would consider these concepts and that the resources agencies are looking at these approaches as well.

Regarding the *Limnology and Oceanography* article about the value of long-term environmental data and water quality trends in the upper San Francisco Bay, Councilmembers discussed the availability of the data that the scientists collected and how to interpret the data for policymakers. Councilmember Thomson stated it appeared as if it takes a long time for the data to become available. Dr. Callaway provided clarity on the importance of long-and short-term trends and the difference between analyzing data for specific experiments against synthesizing multiple data sets or results to draw conclusions across an extended period of time. Dr. Callaway acknowledged challenges with both types of efforts but emphasized the importance of collecting and analyzing long-term data sets and trends to develop a complete picture of ecosystem functions.

For the Bay-Delta Science Conference, Councilmember Thomson commented on Dr. Callaway's description of the presentation by Eric Chapman, U.C. Davis, that highlighted restoration efforts and water management efforts at Putah Creek. Mr. Thomson noted that he was not supportive of the litigation surrounding Putah Creek, and was pleased to hear about the success of the project. He further stated that the settlement for the litigation showed the importance of giving urban water and environmental needs the same consideration. Councilmember Weinberg praised the Conference and specifically Dr. Callaway's leadership.

The video of the Lead Scientist's Report can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-10-23>. 00:17:09.

7. Public Comment

There was no public comment.

8. Preparation for Next Council Meeting – Discuss (a) expected agenda items; (b) new work assignments for staff; (c) requests of other agencies; (d) other requests from Councilmembers; and (e) confirm next meeting date.

The meeting recessed at 1:57 p.m. until October 24 at 9:00 a.m.

9. Public Hearing Regarding the Appeals of the Certification of Consistency for the California WaterFix

The Council will hold a public hearing regarding the appeals of the certification of consistency submitted on July 27, 2018 by the California Department of Water Resources for the California WaterFix, Certification Number C20185. A link to the hearing notice can be found here: <http://deltacouncil.ca.gov/department-water-resources-finds-california-waterfix-project-consistent-delta-plan>. The hearing will commence at 9:00 a.m. on October 24, and recommence, if necessary, at 9:00 a.m. on October 25, and, if necessary, at 9:00 a.m. on October 26.

- a. Opening of Hearing and Explanation of Hearing Process by the Chair
- b. Conduct Hearing

(Note: A certified shorthand reporter will record the hearing proceedings.)

(Note: The hearing is also available to view live online at: <http://cal-span.org/static/meetings-DSC.php>)

The Council reconvened and commenced the Public Hearing from 9:00 a.m. to 2:15 p.m. on October 24, from 9:00 a.m. to 12:20 p.m. on October 25, and from 9:00 a.m. to 11:04 a.m. on October 26, regarding the Appeals of the Certification of Consistency for the California Waterfix. Chair Fiorini and Councilmembers Gatto, Thomson, and Damrell were present for the hearing on October 24 and 25. Chair Fiorini and Councilmembers Thomson and Damrell were present for the hearing on October 26. The Appellants, the Department of Water Resources, the Delta Protection Commission, and the public participated. Upon conclusion of the hearing, the Chair directed Council staff to prepare draft findings regarding the appeals based on the record and comments received in the matter, and to schedule a public workshop to receive input on the draft findings.

The complete transcript of the hearing proceedings, along with all supporting documents, can be found here: <http://deltacouncil.ca.gov/council-schedules-nov-15-16-workshop-appeals-california-waterfix-certification>.

The video of the hearing proceedings on October 24 can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-10-24>.

The video of the hearing proceedings on October 25 can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-10-25>.

The video of the hearing proceedings on October 26 can be found on the linked agenda: <http://cal-span.org/unipage/?site=cal-span&owner=DSC&date=2018-10-26>.